

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTOPHER CRAIG JOHNSON,

Defendant.

CR-17-09-GF-BMM-JTJ

**ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS AND
GRANTING MOTION TO
CHANGE PLEA**

Defendant Christopher Craig Johnson appeared before United States Magistrate Judge John Johnston on July 19, 2018. Johnson entered a plea of guilty to Possession with Intent to Distribute Heroin, as charged in Count II of the Indictment. Judge Johnston entered Findings and Recommendations in this matter on July 19, 2018. (Doc. 22.)

Judge Johnston determined: (1) that Johnson was fully competent and capable of entering an informed and voluntary plea; (2) that Johnson was aware of the nature of the charges against him and the consequences of pleading guilty to Count II; (3) that Johnson understood his constitutional rights, and the extent to which he was waving those rights by pleading guilty; (4) that Johnson's plea of guilty was a knowing and voluntary plea supported by an independent basis in fact

establishing each of the essential elements of the offense charged in Count II; (5) that Johnson had adequate time to review the Plea Agreement with counsel; and (6) that Johnson understood each provision of the Plea Agreement. (Doc. 22 at 1-2). Judge Johnston recommended that this Court accept Johnson's plea of guilty to Count II, and that Count I of the Indictment be dismissed. (Doc. 22 at 2). Neither party filed objections to Judge Johnston's Findings and Recommendations.

The Court has reviewed Judge Johnston's Findings and Recommendations for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). The Court finds no error in Judge Johnston's Findings and Recommendations, and adopts them in full.

Accordingly, IT IS ORDERED:

1. Johnson's Motion to Change Plea (Doc. 16) is **GRANTED**.
2. The Court will defer acceptance of the Plea Agreement (Doc. 17) until sentencing, at which time the Court will have reviewed both the Plea Agreement and the Presentence Investigation Report.

DATED this 13th day of August, 2018.



Brian Morris
United States District Court Judge